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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 HILLCREST INVESTMENTS, LTD., a
13 Canadian Corporation; AMERGOSA
14 ENTERPRISE, LLC.,
15 Plaintiffs,

16 vs.

17 AMERICAN BORATE COMPANY a foreign
18 corporation; AMERICAN BORATE COMPANY
19 OF TEXAS a foreign corporation, STATE
ENGINEER, STATE OF NEVADA,
DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES, DIVISION OF
WATER RESOURCES, A Nevada Political
Subdivision; RAMM Corporation, a Nevada
Corporation; UNITED STATES FISH AND
WILD SERVICE a division of the UNITED
STATES; NATIONAL PARK SERVICE, a
division of the UNITED STATES; and DOES I-
V, ROES VI-X,

20 **Defendants.**

21 Case No 2:21-cv-00964-RFB-NJK

22 **STIPULATION TO EXTEND DEADLINE
TO FILE RESPONSE TO UNITED
STATES FISH AND WILDLIFE SERVICE
AND THE NATIONAL PARK SERVICE
MOTION TO DISMISS
(THIRD REQUEST)**

23 **COMES NOW**, Plaintiffs and Defendants United States Fish and Wildlife Service and the
24 National Park Service (collectively, “Federal Defendants”) by and through their respective
attorneys of record hereby stipulate and agree as follows:

25 On June 21, 2021, the Federal Defendants filed a Motion to Dismiss (“Motion”). See (ECF
26 No. 17). Plaintiff’s response to the Motion was due on July 6, 2021. The parties agreed to extend
27 the response deadline to July 14, 2021. See (ECF No. 24). The parties also stipulated that the
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1 Federal Defendants' Reply would be due on July 26, 2021. Id. The Court granted the stipulation
2 See (ECF No. Dkt No 26).

3 The parties made a second request to accommodate workload and scheduling conflicts for
4 Plaintiff's counsel, which could not be resolved during the first extension. The parties have agreed
5 Plaintiff would have until July 21, 2021 to respond, and the Federal Defendants would have to
6 August 13, 2021 to file a Reply. The additional time for the Reply is needed so as not to prejudice
7 the Federal Defendants as their counsel will be in depositions from July 26, 2021-August 6, 2021.
8 The Court granted the stipulation. ECF No. 28.

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The parties now make a third request to accommodate workload and scheduling conflicts for Plaintiff's counsel, which could not be resolved during the first extension. The parties have agreed Plaintiff would have until July 28, 2021 to respond, and the Federal Defendants do not request any additional time to reply and thus agree that their reply shall remain due on August 13, 2021. This is the third request.

LAW OFFICES OF BYRON THOMAS

/s/ David L. Negri

/s/ Byron E. Thomas

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IT IS SO ORDERED.

RICHARD F. BOULWARE, II
United States District Court

DATED this 24th day of July, 2021.